

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 183 – HB 398**

March 9, 2023

**SUMMARY OF BILL:** Requires a court to order a mental health evaluation and treatment for juveniles who commit aggravated animal cruelty to a domesticated dog or cat. Authorizes a court to punish a parent or guardian in contempt of court for failure to comply with a required court order.

**FISCAL IMPACT:**

**Other Fiscal Impact – Passage of the proposed legislation may result in a mandatory increase in local expenditures associated with mental health evaluations for juveniles. The extent and timing of any such increase cannot be determined with reasonably certainty.**

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-14-212(j), a court is authorized to order a mental health evaluation and treatment for a juvenile who has been adjudicated delinquent for a second or subsequent conviction for cruelty to animals, or aggravated cruelty to a companion animal.
- The proposed legislation will require a court to order a mental health evaluation and treatment for juveniles who commit aggravated animal cruelty to a domesticated dog or cat.
- Pursuant to Tenn. Code Ann. § 37-1-150(a)(1), the cost of outpatient mental health evaluations ordered by a court for a child are the responsibility of the state.
- Pursuant to Tenn. Code Ann. § 37-1-150(b)(2), the cost of an inpatient mental health examination or evaluation ordered by the juvenile court judge for a child charged with commission of an offense that would be a felony if committed by an adult, and the cost incidental to the examination or evaluation, shall be paid by the city or county.
- For any juvenile requiring an outpatient mental health evaluation, there will be an increase in state expenditures to the Department of Mental Health and Substance Abuse Services (DMHSAS).
- Based on information provided by the DMHSAS, any increase in state expenditures associated with outpatient mental health evaluations can be absorbed within existing resources, without a significant increase in state expenditures.
- For any juvenile requiring an inpatient mental health evaluation, there will be a mandatory increase in local expenditures; however, the extent and timing of any mandatory increase is dependent upon the actions of the juvenile court.

- Pursuant to Tenn. Code Ann. § 29-9-103, the punishment for contempt of court is a fine of \$50, imprisonment not exceeding 10 days, or both.
- There will not be a sufficient change in the number of individuals punished with contempt of court for state or local government to experience any significant change in revenue or expenditures.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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